



CITY COUNCIL MINUTES

Richfield, Minnesota

Special City Council Worksession

September 23, 2014

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 5:45 p.m. in the Heredia Room.

Council Members Present: Debbie Goettel, Mayor; Sue Sandahl; Pat Elliott; Edwina Garcia; and Tom Fitzhenry.

Staff Present: Mike Eastling, Acting City Manager; Kristin Asher, Assistant Public Works Director; Robert Hintgen, Utilities Superintendent; Jeff Pearson, Transportation Engineer; and Cheryl Krumholz, Executive Coordinator.

Item # 1	DISCUSSION REGARDING THE METROPOLITAN AREA MASTER WATER SUPPLY PLAN (COUNCIL MEMO NO. 91)
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Acting City Manager Eastling discussed the City's perspective on the proposed plan, including concerns that the plan is heading towards a recommendation that moves to either a dual supply source with surface water and groundwater or to a solely surface water supply.

Jason Maeckel, DNR representative, presented the DNR's perspective on the proposed plan.

Ali Ellhassan, Metropolitan Council representative, presented the Met Council's perspective on the proposed plan

Item # 2	DISCUSSION REGARDING THE DRAFT TRANSPORTATION POLICY PLAN COMMENTS (COUNCIL MEMO NO. 91)
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Transportation Engineer Pearson reviewed the draft comments.

The City Council agreed with the comments and directed staff to proceed.

ADJOURNMENT

The meeting was adjourned by unanimous consent at 6:57 p.m.

Date Approved: October 14, 2014

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Mike Eastling
Acting City Manager



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Meeting

September 23, 2014

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 7:03 p.m. in the Council Chambers.

Members Present: Debbie Goettel, Mayor; Sue Sandahl; Pat Elliott; Edwina Garcia; and Tom Fitzhenry.

Staff Present: Steven L. Devich, City Manager; Mike Eastling, Public Works Director; Jim Topitzhofer, Recreation Services Director; Jay Henthorne, Acting Public Safety Director; Pam Dmytrenko, Assistant City Manager/HR Manager; Kristin Asher, Assistant Public Works Director; Chris Link, Public Works Operations Superintendent; Mary Tietjen City Attorney; and Cheryl Krumholz, Executive Coordinator.

OPEN FORUM

Susan Rosenberg, 6633 Thomas Avenue, announced the League of Women Voters Candidate Forum on September 27, 2014.

Linda Nemitz, 7638 Thomas Avenue, expressed concern about electric pole replacement.

PLEDGE OF ALLEGIANCE

Mayor Goettel led the audience in the Pledge of Allegiance.

APPROVAL OF MINUTES

M/Elliott, S/Garcia to approve the minutes of the (1) Special City Council Meeting of September 3, 2014; (2) Special City Council Worksession of September 9, 2014; (3) Regular City Council Meeting of September 9, 2014; (4) Special City Council Worksession of September 9, 2014; (5) Special City Council Worksession of September 15, 2014; and (6) Special Concurrent City Council and HRA Worksession of September 15, 2014.

Motion carried 5-0.

Item #1

PRESENTATION REGARDING THE TRIBUTE TO RICHFIELD'S PERFORMING ARTS

Rick Jabs, Bandshell Task Force Chair, announced the bandshell fundraising event, "Tribute to Richfield's Performing Arts" on October 5, 2014.

Recreation Services Director Topitzhofer provided a bandshell update, including a recently received preliminary soil boring report that indicates challenges with the soil. He stated the October 8 public meeting to present the site plan and gather feedback on the bandshell project has been postponed to allow more time for analysis of the soil report.

Item #2	PRESENTATION REGARDING RICHFIELD CONNECT
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Operations Superintendent Link presented Richfield Connect, an on-line resource to connect with the community and gain feedback to help guide decision-makers on a variety of issues.

Item #3	COUNCIL DISCUSSION <ul style="list-style-type: none">• Reschedule November 11, 2014 Regular City Council Meeting• Hats Off to Hometown Hits
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M/Sandahl, S/Goettel to reschedule the November 11, 2014 Regular City Council Meeting to Monday, November 10, 2014.

Council Member Elliott said he would abstain because he would be out of the City.

Motion carried 4-0. (Elliott abstain)

Council Member Fitzhenry provided a Noise Oversight Committee update.

The City Council acknowledged the success of the recent Penn Fest event.

Council Member Garcia announced the Wheel of Fun Rental and Pumpkin Patch activities at Veterans Memorial Park.

Mayor Goettel announced the October 9 Richfield Foundation Autumn Wine and Cheese Gathering.

Item #4	COUNCIL APPROVAL OF AGENDA
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M/Fitzhenry, S/Sandahl to approve the agenda.

Motion carried 5-0.

Item #5	CONSENT CALENDAR
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- A. Consideration of the approval of the resolution designating the City's contribution toward health, term life and dental insurance premiums for General Services and Management employees in 2015 S.R. No. 160

RESOLUTION NO. 10969

RESOLUTION DESIGNATING CITY'S CONTRIBUTION
TOWARD HEALTH, TERM LIFE, LONG-TERM DISABILITY AND DENTAL INSURANCE
PREMIUM FOR MANAGEMENT AND GENERAL SERVICES EMPLOYEES

This resolution appears as Resolution No. 10969.

- B. Consideration of the approval of the continuation of the agreement with the City of Bloomington for the provision of food inspection services for 2015 S.R. No. 161
- C. Consideration of the approval of a resolution certifying delinquent water, sanitary sewer and storm water charges to the County Auditor S.R. No. 162

RESOLUTION NO. 10970

RESOLUTION AUTHORIZING CERTIFICATION OF UNPAID WATER, SANITARY SEWER AND STORM WATER CHARGES TO THE COUNTY AUDITOR TO BE COLLECTED WITH OTHER TAXES ON SAID PROPERTIES

This resolution appears as Resolution No. 10970.

- D. Consideration of the approval of the purchase of an Ice Resurfacer in 2015 for use at the Richfield Ice Arena from Frank J. Zamboni & Co. in the amount of \$93,089.88 S.R. No. 163
- E. Consideration of the approval of the resolutions appointing election judges and high school student trainee judges for the November 4, 2014 General Election S.R. No. 164

RESOLUTION NO. 10971

RESOLUTION APPOINTING ELECTION JUDGES FOR THE GENERAL ELECTION OF NOVEMBER 4, 2014

This resolution appears as Resolution No. 10971.

RESOLUTION NO. 10972

RESOLUTION APPOINTING HIGH SCHOOL STUDENT TRAINEE ELECTION JUDGES FOR THE GENERAL ELECTION OF NOVEMBER 4, 2014

This resolution appears as Resolution No. 10972.

M/Goettel, S/Garcia to approve the Consent Calendar.

Motion carried 5-0.

Item #6	CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR
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None.

Item #7	DISCIPLINARY HEARING REGARDING A RESOLUTION IMPOSING CIVIL ENFORCEMENT FOR AN ESTABLISHMENT IN RICHFIELD THAT RECENTLY UNDERWENT ALCOHOL COMPLIANCE CHECKS CONDUCTED BY RICHFIELD PUBLIC SAFETY STAFF AND FAILED BY SELLING ALCOHOL TO UNDERAGE YOUTH S.R. NO. 165
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Council Member Fitzhenry presented Staff Report No. 165.

Council Member Fitzhenry stated Mark Olson, owner, was unable to attend tonight's hearing but submitted an email to staff admitting the violation occurred and stipulating to the suspension and penalty.

M/Goettel, S/Garcia to close the disciplinary hearing.

Motion carried 5-0.

M/Fitzhenry, S/Goettel that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10973

RESOLUTION SUSPENDING THE OFF-SALE 3.2 MALT LIQUOR LICENSE FOR RICHFIELD US, 6744 PENN AVENUE SOUTH, AND IMPOSING A CIVIL PENALTY FOR FIRST TIME ALCOHOL COMPLIANCE FAILURE

Motion carried 5-0. This resolution appears as Resolution No. 10973.

Item #8	PUBLIC HEARING REGARDING THE ISSUANCE OF A NEW ON-SALE WINE LICENSE, WITH A PRO-RATED FEE, FOR LAST CALL OPERATING CO II., INC. D/B/A CHAMPPS AMERICANA LOCATED AT THE RICHFIELD ICE ARENA, 636 EAST 66TH STREET S.R. NO. 166
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Council Member Garcia presented Staff Report No. 166.

Scott Larson, Champps General Manager, was available for questions.

M/Fitzhenry, S/Goettel to close the public hearing.

Motion carried 5-0.

M/Garcia, S/Goettel to approve the issuance of a new on-sale wine license, with a pro-rated fee, for Last Call Operating Co II., Inc. d/b/a Champps Americana located at the Richfield Ice Arena, 636 East 66th Street.

Motion carried 5-0.

Item #9	PUBLIC HEARING REGARDING A RESOLUTION ADOPTING A 5-YEAR STREET RECONSTRUCTION PLAN AND AUTHORIZING THE ISSUANCE OF STREET RECONSTRUCTION BONDS TO FINANCE THE 2015 AND 2016 RECONSTRUCTION PROJECTS S.R. No. 167
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Council Member Sandahl presented Staff Report No. 167.

Assistant Public Works Director Asher made a presentation on the reconstruction plan, including financing.

Council Member Sandahl explained the benefit of bonding for this type of project is to spread the cost across the entire City to avoid huge tax assessments.

Heidi Gaibor, 6915 Wentworth Avenue, requested clarification on the financing for the mill and overlay, use of franchise fees and burying of utility transmission lines.

Ms. Asher explained the financing is used for County roads since they do not completely cover the cost, franchise fees are used for City streets, and a large portion of the burying of utility lines is paid by CenterPoint.

Council Member Sandahl stated there is a City ordinance that provides for the undergrounding of utility lines as opportunities arose because it reduces outages and improves aesthetics.

Kathryn Quam, 2605 West 66th Street, stated she was unclear of the purpose of the bond sale if it included 66th Street when a final decision had not been made on this reconstruction.

City Manager Devich explained tonight's resolution provides preliminary approval but the actual authority to bond will come before the City Council again with specifics.

Maxine Jeffries, 6600 Logan Avenue, said she was pleased with the recent 66th Street overlay but was concerned about truck traffic damaging the road again.

Mr. Eastling explained the County fixed the street but the traffic vibration will continue until the reconstruction.

Cal Christensen, 6600 West 66th Street, questioned eminent domain on the properties along 66th Street.

Mayor Goettel encouraged Mr. Christensen to attend the upcoming open house regarding the 66th Street reconstruction to view and discuss the revised plan to minimize property takings.

Peter McNary, 7614-10th Avenue, expressed support for the 5-year plan and questioned how long the roads would last, specifically Portland Avenue.

Ms. Asher explained the total reconstruction should last 50 years.

Luther Hanson, 7625 Garfield Avenue, stated the senior residents wanted the City Council to realize that they've been paying taxes for years and questioned why they needed to pay again. The seniors suggest a wheelage tax instead so non-residents using the streets would pay.

Mr. Eastling explained the City has no authority for a wheelage tax.

Terry Straub, 7430 Portland Avenue, stated the plan should be scaled down because it's too much money with too little benefit for most people.

Mike Ekholm, 6714 Stevens Avenue, questioned the tax impact.

M/Goettel, S/Sandahl to close the public hearing.

Motion carried 5-0.

Mayor Goettel stated reducing the boulevard and green space to fit the neighborhood should be considered but the roads need to be fixed.

Council Member Sandahl stated many of the roads to be reconstructed with bonding belong to the County and the City, County and utilities companies are working in coordination.

Council Member Fitzhenry stated that the project allows checking the infrastructure underneath the roads.

M/Sandahl, S/Elliott that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10974

RESOLUTION ADOPTING A STREET RECONSTRUCTION PLAN AND AUTHORIZING
ISSUANCE OF STREET RECONSTRUCTION BONDS THEREUNDER

Motion carried 5-0. This resolution appears as Resolution No. 10974.

Item #10	PUBLIC HEARING TO CONSIDER THE APPLICATION FOR THE TRANSFER OF THE CABLE SYSTEM FROM COMCAST OF MINNESOTA, INC., THE EXISTING CABLE TELEVISION FRANCHISEE, TO GREATLAND CONNECTIONS, A NEWLY FORMED ENTITY THAT WILL HOLD THE CABLE SYSTEM S.R. NO. 168
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Mayor Goettel presented Staff Report No. 168.

City Manager Devich explained the process of the transfer to date and that additional information will be received and shared with the public. He added opening the public hearing is a procedural requirement.

The City Council opened the public hearing and continued the public hearing regarding the proposed transfer of control of the cable television franchise from Comcast Cable Communications, LLC to Greatland Connections until complete information concerning this proposed transfer is available to the City Council for consideration.

Item #11	CONSIDERATION OF A RESOLUTION AND CONDUCT A FIRST READING OF AN ORDINANCE ESTABLISHING A SIX-MONTH MORATORIUM ON THE CONSIDERATION OF MEDICAL MARIJUANA DISTRIBUTION FACILITIES AND SCHEDULE A PUBLIC HEARING AND SECOND READING OF THE ORDINANCE FOR OCTOBER 14, 2014 S.R. NO. 169
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Council Member Elliott presented Staff Report No. 169.

M/Elliott, S/Goettel that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10975

RESOLUTION ESTABLISHING A MORATORIUM ON THE CONSIDERATION OF
MEDICAL MARIJUANA DISTRIBUTION FACILITIES,
AND DIRECTING THAT A PLANNING STUDY BE CONDUCTED

City Attorney Tietjen explained the State law requirements related to manufacturers and distribution facilities. She stated the moratorium will allow time for staff to review this matter from zoning perspectives and licensing regulations and can be extended if more time is needed.

Motion carried 5-0. This resolution appears as Resolution No. 10975.

Item #12	CITY MANAGER'S REPORT
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None.

Item #13	CLAIMS AND PAYROLLS
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M/Garcia, S/Elliott that the following claims and payrolls be approved:

U.S. Bank		09/23/14
A/P Checks: 234392-234875	\$	2,157,326.99
Payroll: 104363-104703	\$	544,649.02
TOTAL	\$	2,701,976.01

Motion carried 5-0.

OPEN FORUM

None.

Item #14	SPECIAL CITY COUNCIL CLOSED EXECUTIVE SESSION IN THE BABCOCK CONFERENCE ROOM REGARDING MEETING WITH OUTSIDE COUNSEL TO DISCUSS THE STATUS OF LITIGATION (GREG PETERSON, SOUPHANNY DEAN, BRIAN ROGGE AND JEFF HATZENBELLER V. CITY OF RICHFIELD)
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City Attorney Tietjen stated the Closed Session is held pursuant to M.S. 13D.05, Subd. 3 related to attorney-client privilege and litigation currently pending in court.

The City Council adjourned to the Closed Executive Session in the Babcock Conference Room at 8:50 p.m.

The closed executive session was called to order by Mayor Goettel at 8:53 p.m. in the Babcock Room.

Members Present: Debbie Goettel, Mayor; Sue Sandahl; Pat Elliott; Edwina Garcia; and Tom Fitzhenry.

Staff Present: Steven L. Devich, City Manager; Jay Henthorne, Acting Public Safety Director; Pam Dmytrenko, Assistant City Manager/HR Manager; Mary Tietjen City Attorney; Julie Fleming-Wolfe, outside counsel.

The Closed Executive Session was convened pursuant to M.S. 13D.05.

The closed executive session was adjourned by unanimous consent in the Babcock Conference Room at 9:26 p.m.

Item #15	RECONVENE REGULAR CITY COUNCIL MEETING
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The meeting was called to order by Mayor Goettel in the Council Chambers at 9:27 p.m.

ADJOURNMENT

The City Council open meeting was adjourned by unanimous consent at 9:28 p.m.

Date Approved: October 14, 2014.

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Steven L. Devich
City Manager